

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CLIFFORD M. FOSS,
Plaintiff,

CIVIL ACTION

v.

**SUPERINTENDENT OF SCI FAYETTE
AND THE ATTORNEY GENERAL OF
THE STATE OF PENNSYLVANIA,**
Defendants.

NO. 18-5313

ORDER

AND NOW, this 5th day of May 2020, upon careful and independent consideration of the petition for writ of habeas corpus, response, reply, no objections having been filed to the Report and Recommendation and after review of the Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey, **IT IS ORDERED** that:

1. The Report and Recommendation is **APPROVED AND ADOPTED**.
2. The petition for writ of habeas corpus is **DENIED**.
3. There is no basis for the issuance of a certificate of appealability.

BY THE COURT:

/s/Wendy Beetlestone, J.

WENDY BEETLESTONE, J.